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Application No. 10/526,851

Reply to Office Action

*REMARKS**Examiner Interview*

Applicants wish to thank Examiner Jason Nolan, Ph.D., for the courtesies extended to Xavier Pillai, one of applicants' attorneys, during the telephone interviews held on December 13, 2006 and December 21, 2006 to discuss the unity of invention issue. The Examiner, in view of the claim proviso " R_2 - R_6 are not simultaneously H," agreed that the claims do not lack unity of invention and that the cited reference Kokusho (RN94456-73-2) fails to destroy unity of invention. The Examiner agreed that it is not required to elect a single group.

Discussion

Applicants respectfully disagree with the alleged lack of unity of invention. As discussed during the Examiner interview, Kokusho fails to destroy the unity. Accordingly, and in accordance with the Examiner's recommendation, applicants are not required to elect a group.

Applicants elect cancer as the species of the method of use. Claims 39-40 read on the elected species.

Under PCT Rule 13, claims directed to a product and claims directed to the use of said product are permissible to be examined together. Accordingly, applicants respectfully request claims 1-55 should be examined at the same time. In addition, according to MPEP § 806.05(i), the product and process of using said product can be combined in one application. See also MPEP § 821.04(a). The available evidence does not indicate that there would be a serious burden on the Examiner to consider all the claims together in one application.

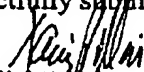
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Conclusion

A favorable decision is solicited. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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